

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

GLENN WHITING, )  
                        )  
Plaintiff,         )  
                        )  
v.                     )                              No. 3:23-cv-2-TRM-DCP  
                        )  
CITY OF ATHENS, *et al.*,     )  
                        )  
Defendant.         )

**ORDER**

This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and Standing Order 13-02.

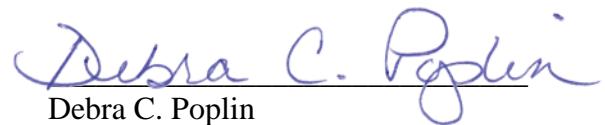
Now before the Court are Defendant City of Athens' ("Athens") Motions to Quash Subpoenas to Larry Eaton [Doc. 130] and Deb Wallace [Doc. 131]. Plaintiff set the depositions for February 8 and 9, respectively. Defendant Athens claims that the subpoena to Mr. Eaton is unduly burdensome, he has already been deposed, and Mr. Eaton was not Defendant's agent or employee at the time of the event that gives rise to this litigation [Doc. 130 pp. 1–2]. With respect to the deposition of Deb Wallace, Defendant Athens states that the subpoena is unduly burdensome because Plaintiff has already taken ten depositions and that any testimony provided by her is irrelevant to the issues in this case [Doc. 131 pp. 1, 5]. Both motions state that the parties met and conferred but were unable to resolve these disputes [Doc. 130 p. 2; Doc. 131 pp. 1–2].

In light of the parties' disputes, the Court **STAYS** compliance with the subpoenas pending adjudication of Defendant Athens' motions. *See Fed. R. Civ. P. 45(d)(2)(B)(ii)* ("These acts may be required only as directed in the order."); *Zamler v. Ashton Techs., Inc.*, No. 14-14189, 2016 WL

193382, at \*2 (E.D. Mich. Jan. 15, 2016) (staying compliance with subpoenas until the court determines whether they should be quashed). Further, given the approaching discovery deadline (i.e., February 26, 2024), the Court **ORDERS** Plaintiff to respond to both motions on or before **February 14, 2024.**

**IT IS SO ORDERED.**

ENTER:

  
Debra C. Poplin  
United States Magistrate Judge